

**Department of  
Conservation &  
Development**

**Water Agency**

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**Contra  
Costa  
County**



**Catherine O. Kutsuris**  
Director

August 29, 2011

Margit Aramburu  
Director  
Natural Resources Institute  
University of the Pacific  
(via email to [margithind@comcast.net](mailto:margithind@comcast.net))

Dear Margit:

Contra Costa County staff has reviewed the online *Draft Economic Sustainability Plan* dated August 9, 2011. We believe it is a much improved document from the earlier administrative draft. The plan's recommendations generally seem well considered and supported by the research described throughout the document. We have some comments and questions to offer. Some of our comments are substantive and technical, while others have to do with clarity of expression. The comments on salinity reflect input from our water resources consultant, Dr. Richard Denton. The comments are generally listed by page-number or chapter in the online draft. I hope these comments are helpful as the consultant team continues to work towards a final plan.

1) We appreciate and support the plan's statement on page xiii of the Executive Summary that the "covered actions" certification process proposed by the Delta Stewardship Council "*will create additional costs and uncertainty for investment in the Delta, and work against its goal to enhance the Delta. It would be best for the Delta economy if the Stewardship Council did not add additional layers of regulation, approvals and potential appeals.*" We asked the Stewardship Council to remove or simplify this costly and counterproductive process in our comments on earlier drafts of their *Delta Plan* and we are glad to see this included in the *Economic Sustainability Plan*.

2) In Chapter 4 (Flood, Earthquake and Sea-Level Rise Risk Management), the discussion includes urban levees, urban non-project levees, project levees, non-project levees, and core levees. The recommendations then appear to focus mainly on core levees (which the document defines as levees that protect Primary Zone land that is below sea level). The document doesn't explain why the focus is on these core levees, or why this designation was created. We are unclear as to why these levees in particular are critical to a sustainable Delta economy. The plan goes on to recommend upgrades beyond PL 84-99 for certain core levees. If the plan places a priority on a particular group of levees, we suggest the priority should be on levees that benefit the greatest number of people and are in the worst state of repair. Consideration of levees that benefit the greatest number of people should be considered in the broadest sense and include, but not be limited to, populations living on property protected by levees and populations benefiting from the water conveyed by these levees to the export pumps. If in fact the recommendations were intended to apply to other levees beyond the core levees, this should be clarified in the document.

- 3) As a follow up to comment #2, Chapter 4 should clarify whether the core levees are eligible for funding under the Levee Subvention and Special Projects Programs. The plan also should verify that the funds identified as “currently in the pipeline” are the funds dedicated to the Levee Subvention and Special Projects Programs. It also would help to clarify if the Economic Sustainability Plan assumes any federal revenue as being currently in the pipeline.
- 4) Still in Chapter 4, section 3.1.4 (“Summary”) on page 50 lists a lot of calculations of levee miles but we are unclear about the significance of the calculations or the conclusions from this. The calculations eventually yield the number of miles of core levees, and the amount of those core levees that are project levees. Perhaps there could be further discussion to clarify the significance of these calculations (this also relates to our previous comment regarding the significance of core levees).
- 5) The report also indicates in Section 5 that historical data on levee breaches is no longer relevant as the levee system is now more robust. The discussion at the top of page 69 mentions the cessation of dredging and the increasing placement of rock rip-rap on the water side of Delta levees as reasons why the levees are more robust than before, and this is why historical data about levee breaks are no longer relevant. We suggest this conclusion be substantiated by calculating the rate of levee breaches from historical data. Has the rate of levee breaches gone down over time as rip-rap has been placed on the water side of levees and many of the weak points in the system have been repaired? If so, this would provide substantiation for the statement about the increased robustness of the levee system.
- 6) The second paragraph on page 69 discusses the use of funds from Proposition 84 and 1E. The calculations are hard to follow. Two different figures are mentioned as “total funds committed” and the paragraph is generally confusing, even after several readings. Amidst the calculations the paragraph also cites two tables from another document, implying that these tables are the source of the numbers being described. It would help to include the two tables. A more clear explanation of the numbers would not only explain the calculations better but would make the *Economic Sustainability Plan* a valuable reference tool on levee funding. In our experience, information on available or committed levee funding is not easy to find from existing sources.
- 7) After reading chapter 4, it is difficult to discern how levees fit into an economic sustainability strategy. The chapter has lots of data about levees and a good synopsis of prior studies, but it should also explain how levees contribute to Delta economic sustainability. This would help support the levee recommendations provided later in the document. After the review of prior studies, the report indicates there has been 30 years of investments that have improved Delta levees but there is no overarching strategy to make the Delta sustainable. The report uncovers discrepancies in cost estimates and data gaps in prior studies and indicates that additional analysis is needed but doesn't recommend what analysis needs to be done. The plan should identify what further work must be done to develop consensus on the amount of levee investment needed for a sustainable Delta.
- 8) Figure 20 in Chapter 6 (Agriculture) shows average revenues per acre throughout the Delta. The map does not appear to contain any data for Contra Costa County. We made a similar comment on some maps in the earlier administrative draft. Are the data not available for Contra Costa County? *We would appreciate a directly reply to this question.*
- 9) Beginning on page 93 in Chapter 6, the plan discusses the potential salinity impacts of the 15,000-cubic-feet-per-second peripheral tunnel proposed by the Bay Delta Conservation Plan (BDCP) in 2010. While we appreciate the fact that the consultant team devoted some attention to this critical subject, we would offer a somewhat different interpretation and presentation of this material. The document on page 96 focuses on a

“possible interpretation” that isolated conveyance in a “typical year” would create a roughly 25 percent increase over the average salinity levels between 2006 and 2010. This in turn would lead to a loss in crop revenue ranging between \$28 million to \$54 million. This scenario – a 25-percent increase in salinity – is highly speculative and we are unclear as to why this scenario was presented for discussion. The paragraph goes on to speculate that if water quality were allowed to deteriorate further due to higher, more lenient salinity standards, there would be a *tripling* of south Delta salinity. This seems needlessly alarming and could lead some reviewers to question the validity of the *Economic Sustainability Plan*. Earlier salinity modeling by BDCP (and provided to Contra Costa County upon request in August 2010) suggests salinity increases during the critical summer months will be less than 25 percent. In some months of some years, the BDCP modeling suggests there may even be an improvement in salinity in the south Delta. In other paragraphs, the *Economic Sustainability Plan* correctly notes that salinity forecasts from an isolated conveyance facility are highly speculative. We agree, and suggest that the worst-case scenarios, particularly one that suggests a tripling of salinity levels, either be removed or clearly described as worst-case.

10) Pages 221-223 in Chapter 11 include recommended actions and policies for sustaining the Delta economy. We ask that the recommendations dealing with levees should also include a specific recommendation to establish rock stockpiles at levee sites in the near term, for use in quickly repairing emergency breaks.

11) The first recommended action on page 221 calls for improving core, non-project Delta levees to the PL84-99 standard by 2015 by using the existing Delta Levee Subventions and Special Project Programs. We don’t understand why this recommendation is only for core levees, nor (as we mentioned in an earlier comment) do we understand the significance of core levees.

12) We are pleased to see a recommendation to create flood bypass and habitat improvements in several locations, including the lower San Joaquin River near Paradise Cut. We ask that this be expanded to include three other related items – (a) expeditious implementation of the San Joaquin River Restoration Program; (b) additional increases in San Joaquin flows in all months, consistent with the State Water Resources Control Board’s Delta Flow Criteria recommendations; and (c) in-Valley disposition of San Joaquin polluted agricultural runoff (rather than sending much of it into the Delta as is currently the case). Taken together, these strategies will restore flows, improve fish habitat, improve Delta water quality, and improve the health of the Delta ecosystem. All of these efforts seem critical to sustaining the Delta economy.

13) The recommendation to maintain and enhance the value of agriculture in the Delta is one we strongly support, but we suggest an additional component for it. It would be helpful if the *Economic Sustainability Plan* provided a bridge between planning and funding opportunities for local jurisdictions in the Delta to perform the planning and improvements needed to preserve the agricultural and rural nature of their Delta communities.

For example, the plan could designate (or acknowledge locally designated) priority agricultural conservation areas, similar to the “Priority Conservation Area” concept developed by the Association of Bay Area Governments. These areas could then be eligible for future grant funding opportunities, perhaps via the Delta Investment Fund. Contra Costa County needs funds for planning infrastructure improvements in some of our Delta communities, and the improvements must be planned in a way that enhances the rural and agricultural nature of these communities. These planning efforts will help us implement our General Plan policies dealing with agriculture and recreation. We imagine other counties may have similar issues. The *Economic Sustainability Plan* could serve as a first step in providing funding opportunities.

14) Eligible uses for the Delta Investment Fund should be expanded to support actions that maintain or enhance agriculture in the Delta. The recommendations in the *Economic Sustainability Plan* appear to focus on using the funds for recreation and tourism. The Delta Investment Fund could be the recipient of funds from project proponents who want to take agricultural land out of production for a variety of reasons. If such funds were deposited in the Delta Investment Fund, they could be used to maintain or enhance the value of agriculture in the Delta.

We are aware that the plan is subject to change after the upcoming public outreach meetings in late August. We thought it would be helpful to convey these comments to you now as you prepare for the public input phase.

Sincerely,

John Greitzer  
Delta & Navigation staff

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C: Mary N. Piepho, District III Supervisor and Delta Protection Commission representative  
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